

UNITED STATES OF AMERICA
DISTRICT OF MASSACHUSETTS

FILED
IN CLERKS OFFICE

UNITED STATES OF AMERICA)

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v.)

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IGOR MOYSEYEV)

CRIMINAL NO. 05-10010NMG

2005 DEC -9 P 12: 21

U.S. DISTRICT COURT
DISTRICT OF MASS.

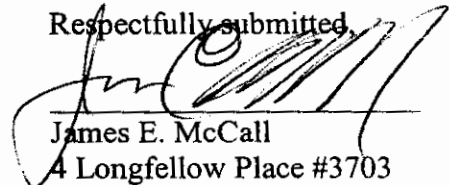
MOTION FOR PRODUCTION OF CO-DEFENDANT'S STATEMENTS

Now comes the Defendant, Igor Moyseyev, and hereby moves this Honorable Court to Order the production of any and all statements made by the co-defendants David S. Tamaren, John F. Montoni and Severen Yelaun. In support thereof, the Defendant states the following:


1. The discovery of said statement(s) is necessary in order for the Defendant Moyseyev to determine whether he will move, pursuant to Fed. R. Crim. P. 14 that this Honorable Court sever the charges against him for a separate trial from co-defendants Tamaren, Montoni and Yelaun. See Bruton v. United States, 391 U.S. 123 (1968).
2. The evidence sought is potentially exculpatory in nature and should be produced pursuant to Brady v. Maryland, 373 U.S. 83 (1963), Giglio v. United States, 415 U.S. 150 (1972) and United States v. Agurs 427 U.S. 97 (1976) in that the co-defendants' statements may contain information indicating that the Defendant is innocent or information which might be or become of benefit to him in preparing for or presenting the merits of his defenses, including a defense of innocence, at trial.

WHEREFORE, the Defendant requests this Honorable Court allow this Motion.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record for each party and upon any party appearing pro se by first class mail, postage prepaid or by hand delivery.

Dated: 12/9/06

